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GENERAL ASSEMBLY

N. C. Legislature Convenes in Biennial Session.

SENSATION IN THE HOUSE.

Governor Glenn's Request Caused Heated and Long Debate.

Wished to Deliver His Message in Person—Innovation was Vigorously Opposed—Morton of New Hanover Contended That it was a Violation of State Constitution—The Incident Entirely Unexpected—A Resolution Passed Inviting Governor to Appear in Person.

(Special to The Messenger.)

Raleigh, N. C., January 9.—The senate convened at 12 o'clock. Lieutenant Governor Francis D. Winston of Bertie county, presiding, and session was opened with prayer by Rev. G. B. Starling of Brooklyn Methodist church. The roll was called by the chief clerk, 49 senators answering to their names, and the credentials were sent to the chair by those who had them with them.

At 12:15 all the senators had been sworn in except Senators B. F. Aycock of Wayne; T. T. Ballinger, or Polk, J. L. Felming of Pitt who did not have their credentials. President Winston stated that the senate would proceed towards effecting the permanent organization, only those senators voting who had taken the prescribed oath.

President Winston stated that nominations were in order and Mr. Ohmand of Lenoir nominated A. J. Maxwell of Lenoir for chief clerk. The chair appointed as tellers, Senators Fleming and Howard. Maxwell was elected. Lovell of Watauga nominated Mr. Robt. Ballow, of Ashe, for reading clerk and Mr. Ballow was elected. Drewry of Wake nominated Brown Pegram of Wake for sergeant at arms and he was elected. Long of redell, nominated R. M. Staley of Wilkes for assistant door-keeper and he was elected. Graham of Orange nominated Chas. Strayhorn for reading clerk and he was elected. Redwine of Union nominated Webb of Buncombe for president pro tem of the senate and he was elected unanimously. Webb proceeded to the president's desk and was administered the oath of office. Winston announced the names of the assistant clerks, pages, messengers and laborers. The elected officers were sworn in after which President Winston announced the senate was organized and was ready for business.

On motion of Mr. Odell at 1:20 o'clock the senate took a recess of 20 minutes. At 1:45 the senate was called to order by the president, and Mr. Webb stating that it would be at least an hour before the house would be in order, moved that the senate adjourn until Thursday at 11 o'clock as a joint session might then pass a motion to hold a joint meeting. At the request of Mr. Graham the motion was amended to meet at 4 p. m. today, and the motion was carried.

Raleigh, N. C., January 9.—The senate held an afternoon session, as the house had not fully organized. The house organization was announced at 4:30 o'clock.

The senate committee to inform the governor of its readiness for his message joined the house branch and called on his excellency and when the senate committee returned, it reported through Chairman Graham of Orange, that the governor would transmit a brief message. This was read and announced that his message was ready and that if consistent with the legislature's idea of propriety he would like to read it in person tomorrow, as he wished to especially emphasize something, this being an old custom which he thinks a good one, and adding that a personal meeting would be agreeable to him. On motion of Aycock, the senate appointed two members of a joint committee to arrange with the house for such a joint session. Aycock and Redwine being named as committeemen. At 6 o'clock the senate adjourned until tomorrow morning, as the house was wrangling over the matter of hearing the governor read his message and no settlement seemed in sight.

At 12 o'clock Chief Clerk Frank D. Hackett announced that as chief clerk of the preceding house the law devolved on him the duty of calling this body to order. That it would now assemble. Rev. A. A. Moment of the First Presbyterian church being requested to lead in opening prayer. The roll of counties was next called, and

each member representing same came forward to the clerk's desk and presented their certificates of election and were sworn in in groups of five, the oath being administered by Walter Clark, chief justice of the supreme court. Following the oath was signature of each member to the oath in the legislative book. In the first group of counties was included Alleghany, and when R. A. Doughton, its representative had subscribed the oath, Mr. Hackett gracefully called him to preside and as the former speaker of the house of representatives and president of the senate ascended the speaker's stand and grasped the gavel he was greeted with rounds of applause from the floor and the galleries. The usual forgetfulness of bringing along certificates by some members developed as the organization proceeded and as usual without objections they were allowed to qualify and file their certificates later. It was two o'clock when the organization of the house of 1907 was completed.

After the organization of the house had been completed pro tem Speaker Doughton announced that a quorum being present and the house duly organized, the next order of business was the election of speaker.

Representative W. V. Dowd, of Mecklenburg, arose and placed in nomination E. J. Justice, of Guilford, beginning his remarks by saying that Mr. Justice was not his first choice. He said that when he remembered that McKinley, who was defeated for the speakership of the national house of representatives, was placed at the head of a committee whose work afterwards brought him the presidency, he had promised some comfort like this to Mr. Justice, when he thought that Justice needed solace before the election, but now it was needless, to say more except that it was gratifying to know that an old college mate, a first class democrat and a first class man had been selected.

J. S. Manning of Durham in a few appropriate words expressed great pleasure at securing the nomination of Mr. Justice who was from his own congressional and judicial district and would prove a first class presiding officer.

Mr. Grant of Davis presented the name of Moses N. Hawshaw of Caldwell, the nomination being seconded by Proctor of Henderson. Harshaw, nominee of the republican caucus, received 22 votes. When Mr. Harshaw's name was called he voted for Justice. Justice received 95 votes and was declared duly elected Speaker. Justice having been declared elected Messrs. Harshaw and Dowd were appointed to escort him to the chair. When the committee with the new speaker appeared a burst of applause greeted them. Chief Justice Clark administered the oath.

The afternoon session of the house was sensational and lasted three hours owing to a long and earnest discussion of a suggestion of a message from the governor that if agreeable he would like to deliver his message in an address. The committee appointed by Speaker Justice to wait on the governor with ex-Lieutenant Governor Doughton at its head, after visiting the governor recommended the message be delivered by the governor in person.

Doughton followed this by a resolution to that effect, which was vigorously opposed. Morton of New Hanover first objecting, declaring the legislature had no right to receive a message in form of an address or by person of the governor, since the constitution expressly stated it had to be transmitted and no governor of the state had ever, since its separation from royal authority, been known to appear in person officially before the legislative branch and make an address or deliver a message while it was in session. He was followed by Murphy of Rowan, on the same line. So earnest were these arguments and so much applause greeted some points made against the alleged innovation that Doughton, saying he was completely surprised at the development, asked for time to consult the governor about the unexpected opposition. After a lapse of ten minutes, he returned, saying that while the governor would not have made the request had he deemed it would provoke opposition or objection, the committee felt it should not be withdrawn. He urged the house to adopt a resolution saying its defeat would be an unpardonable act of discourtesy.

This precipitated another debate in which leading members urging the resolution were Bickett, Blount, Gallert, Manning, Douglas and Fugh, while Parsons, Stephens, Morton, Turlington, Eringhouse, and Harshaw, the only republican participating, opposed it. Parsons offered an amendment that the governor be invited to address the general assembly officially while it was in recess. This was defeated and the resolution inviting the governor to appear in person was finally carried through by a viva voce vote, call of the roll not being sustained. The incident was entirely unexpected. There was much feeling displayed, some speakers declaring they would enter protest on the journal.

The only resolution of importance introduced was by Williams of Duplin, providing for a special standing committee to be known as "Joint committee on investigation of public service corporations," its object being to examine into all infractions of law by corporations. Following is text of resolution, which is made a special order for next Saturday.

"Resolved, Sec. 1. That a committee of eight be appointed, five members of the house, three members of the senate, to be designated and known as 'Joint committee on investigation of

(Continued on 5th Page.)

ARE OF NO BENEFIT

Opposition to Appropriation for Encampments.

DEBATE TOOK WIDE RANGE

The House Refused to Strike Out Appropriation.

Hay of Virginia Contended That Encampments Did Not Amount to Much and the Maneuvers Were a Farce. Should not be Held Offener Than Once in Two Years—Cause of Trouble Between Militia and Men of Regular Army.

Washington, January 9.—By a vote of 27 to 50, the house in committee of the whole, today having the army appropriation bill under consideration, refused to strike out an item of one million dollars for the purpose of paying expenses of regiments, battalions, squadrons and batteries of the organized militia to participate in such brigade or division encampments as may be established for the field instruction of the troops of the regular army.

Representative Hay of Virginia, insisted that the maneuvers did not amount to much and said that so far as the maneuvers held in Virginia were concerned, they were a farce. He contended that the encampment was of little good to the national guard and expressed the opinion that they should not be held offener than once every two years.

Representative Hull, of Iowa, in charge of the bill, says that the committee knew that he did not approve the large maneuvers because he did not believe the national guard received any benefit.

At this point the debate took on a wide range. Representative Grosvenor, of Ohio, enlivening the house by relating the story of the encampment held last summer near his home in Athens, Ohio.

He said there was always an irritation and conflict between farmers' sons and merchants' clerks' and men of the regular army. Some trouble happened in Athens and a soldier of the regular battery was arrested for being drunk and disorderly. A friend located him in jail. That night 50 or 75 members of the battery to which the prisoner belonged, slipped out of camp, organized themselves into a small force, marched up to town and into the jail yard, and as they were about to attack, a guard of infantry commanded by a young officer, a corporal or a sergeant of the state guard, ordered them to halt. Fifty or sixty shots were fired and he fell dead in the street.

"There never was a man punished for anything connected with it," said Mr. Grosvenor. "There was an officer called upon to report and there never was any report made by the captain or other commanding officer of that regular battery, and the feeble attempt of the local authorities to punish the men who committed that cold blooded murder was utterly futile for reasons that I do not care to go into just at this time under the surrounding circumstances."

He charged that the war department, in addition to the regular officers and men, had taken up the cudgel in opposition to the authorities and in opposition to the militia of the state.

Mr. Crumpacker, of Indiana, asked if there were any colored soldiers at that encampment.

"Not one," replied Mr. Grosvenor.

A WORTHY MEMORIAL.

Gift of Unusual Nature Made to the Catherine Kennedy Home.

The Catherine Kennedy Home has received a gift from a friend which is of a very unusual nature. This is \$1500, only the interest of which can be used. The purpose is for the endowment of the birthday of a young man who died over a year ago, and the gift is from a sister of the gentleman.

It is very fitting and appropriate that he should be remembered in this way, as he was known personally to the inmates, having gone there frequently as a boy, and as a young man he continued his visits to the home.

The endowment is perpetual and the interest will be used always on the 21st of January (his birthday) towards providing food for that day.

It is hoped that this example will be followed by others who would like a memorial of this kind to their loved ones.

THE BEACH

On pleasant days there is no better place to spend an hour or two than at the beach.

PROCEEDINGS IN THE SENATE.

Brownsville Resolutions go Over Until Today—Hours of Labor of Railway Employees Discussed.

Washington, January 9.—At the conclusion of morning business today the Brownsville resolutions were laid before the senate, but discussion was postponed until tomorrow on the statement of Mr. Foraker that Senator Tillman was still indisposed and unable to address the senate as he desired.

After a general discussion, a tentative understanding was reached in the senate today justifying the expectation that a vote on the general service pension bill will be taken next Friday. The measure was debated at some length during the early part of today's session and received no vital criticism but many commendations. Senator McCumber spoke at length in support of the measure.

The remainder of the day was devoted to discussion of the bill limiting the hours of railway employees, which is to be voted upon under agreement tomorrow.

The discussion was opened by Mr. La Follette, of Wisconsin, who declared that the measure had received the endorsement of the national organizations of all classes of railway employees and that the opposition now being manifested was from employees who had been coerced by the railroads to present protests.

The discussion became general, being participated in by Senators Bacon, Warren, Doolivar, Patterson, Heyburn, Gallinger and Beveridge.

Sensors Doolivar and Brandegee have offered substitutes and nearly every senator who has spoken on the measure has suggested amendments, so that there are a large number pending.

FATAL RESULT OF EXPLOSION.

Three Killed, Seven Seriously Injured and Twenty-four Missing—Disaster Caused by Accumulation of Gas in Furnace.

Pittsburg, January 9.—As a result of an explosion of a furnace at the Elizabeth furnaces of the Jones and Laughlin Steel Works tonight, three persons are known to be dead, seven in a hospital with serious burns and injuries, and twenty four are missing.

The explosion was caused by an accumulation of gas at the base of the furnace around which were working thirty-five men. Of all these, but one man escaped injury. Without warning and with a roar or artillery, tons of molten metal were poured over the workmen and for a space of thirty feet about the furnace, the metal ran, to a depth of four and five feet.

Two alarms of fire were turned in and all the ambulances in the city were called. The seven who were able to escape from the hot metal with their lives were taken to a hospital, but it is thought the 24 missing men have been buried in the mass of steel and their bodies consumed.

While attempting to rescue some of the men, Chief Peter Snyder, of the fourth fire district, was thrown from a trestle thirty feet high and seriously injured.

WANTED TO MAKE REPUTATIONS

Witnesses Testify That Consolidation of Railroads do Not Stifle Competition.

Chicago, January 9.—Two attorneys representing the government made determined efforts today to induce two traffic managers of trans-continental railroads to admit that a concentration of ownership means the stifling of competition in railroad traffic.

The attorneys were Messrs. Severance and Kellogg, and the traffic managers were J. C. Stubbs, of the Southern Pacific and the Union Pacific system and J. M. Hannaford, of the Northern Pacific. Both men contended that, despite the consolidation of interests that has taken place between the Union Pacific and the Southern Pacific, and between the Northern Pacific and the Great Northern, competition between the lines which are under one ownership, is as sharp today as it ever was, because of the efforts of the managers of the individual lines to make reputations.

Mr. Stubbs examination covered all points connected with the history and traffic arrangements of the Southern Pacific, the Union Pacific, the Central Pacific and many of the allied lines which are now under the control of E. H. Harriman.

Superintendent Goodwin Exonerated.

(Special to The Messenger.)

Raleigh, N. C., January 9.—The state board of internal improvements which conducted the examination into the charges of misuse of funds and other things by Superintendent Goodwin, of the state school for deaf mutes at Morganton, entirely exonerated him from all such charges in its report.

The board also finds that the action of the directors of the Agricultural and Mechanical college was correct with regard to the retirement of Prof. Burkett, in accepting his resignation.

Sale of Trotting Horse.

Lancaster, Mass., January 9.—The sale of Baron Wilkes, the great trotting stallion, to B. Krell, of Carthage Mo., was announced today by Col. John E. Thayer, who has owned the horse for the past eight years.

The purchasing price was not disclosed. Colonel Thayer purchased Baron Wilkes from R. G. Stover, of Paris, Kentucky, paying, it is said, \$25,000. Baron Wilkes has a record of 2:18 and has sired many famous racers.

CURRENT RUMOR

That Roosevelt Will Not Select His Successor.

THAT HE'S LOSING HIS PULL

That He Will be Ousted from Leadership of Party.

Senator Foraker Central Figure in Anti-Roosevelt Faction—Race for Presidential Nomination Will be Between Ohio Senator and the Candidate Favored by the President—Foraker Most Resourceful Man in Senate and Will Make Strong Fight Against the President.

(Special to The Messenger.)

Washington, January 9.—"Theodore Roosevelt will never be able to dictate to the next national republican convention its choice of a presidential candidate." This declaration was made by a prominent republican senator, of great influence in the senate and high in the councils of his party.

As the days go by there becomes more manifest a determination to wrest control of the party from the hands of the president and his sympathizers and to vest it in that republican faction which has come to be known as anti-Roosevelt. Without any election on his part, perhaps, Senator Foraker has become the central figure in the anti-Roosevelt campaign, and his strength as a presidential possibility is making substantial progress. The prediction is made in shrewd political circles that when the national convention meets the race will be between Foraker and whatever candidate is favored by the president.

"The president," said the senator quoted above, "has made a mistake in underestimating Senator Foraker's staying qualities and his capacity as a fighter. He will make the discovery ere long that the Buckeye senator is about the hardest proposition he has ever stacked up against. There is nothing of the quitter in Foraker's make-up. He is perhaps the most resourceful man in the senate, and now that he has been thoroughly aroused by Roosevelt, he is certain to give a good account of himself.

"The president is losing strength every day, for the reason that each day brings him 24 hours nearer to the time when he will quit the White House and be shorn of power. The loss may be almost imperceptible just now, like the lengthening of the day since the sun crossed the imaginary line on the 21st of December last, but soon it will be apparent to the man on the street.

"One effect of the present situation," the senator continued, "is that it is rallying all the elements hostile to Roosevelt around the standard of Ohio's senior senator. This in itself is bound to make him a presidential factor that will have to be reckoned with in the national convention next year. The man who goes into the next presidential national convention backed by the elements antagonistic to President Roosevelt will, in my judgment, come pretty near to capturing the nomination.

"Will that man be Foraker? It certainly looks that way now. Of one thing I am morally certain, and that is, that the president will not be able to dictate who shall be the nominee of the republican national convention of 1908."

Positive announcement, from what has every appearance of being an authoritative source is made to the effect that Secretary of War Taft will shortly ascend the supreme court bench as the successor of Chief Justice Fuller. If this be true, it will leave the presidential field without any candidate recognized as distinctly Rooseveltian. The most promising possibility is Charles E. Hughes, governor of New York. If he markedly "makes good" during the next 12 months, a good many politicians believe he will be the Roosevelt candidate. It is admitted that Gov. Hughes has none of the elements of personal magnetism so strong in the present occupant of the White House, but if he is "safe and sane" and yet vigorous in the prosecution of evil, he undoubtedly will make a strong appeal to the country.

The announcement by Postmaster General Cortelyou that he would retire at once as chairman of the republican national committee, and that Col. "Harry" New, the vice chairman, would succeed him as acting chairman until such time as the committee might make a selection, came as somewhat of a surprise to the politicians. As stated in this correspond-

ence several days ago, the rumor of Mr. Cortelyou's retirement from the chairmanship had been revived with a large show of authority, but no one believed it would come so early a day. As the committee is now constituted, Mr. Roosevelt and Mr. Cortelyou undoubtedly will dictate the selection of the new chairman, but they will have a fight on their hands if the anti-Roosevelt republicans think there is any show of winning out.

REPORT OF CENSUS BUREAU.

Number of Bales of Cotton Ginned Show an Increase of 2,025,518 Over Last Year.

Washington, January 9.—The census bureau today issued a report on cotton ginning showing that up to January 1st there were 28,399 active ginneries in operation and that 11,750,944 bales were ginned, compared with 9,725,426 bales for 1905. Round bales were counted as half bales.

By states the number of bales ginned and the number of ginneries in operation were given as follows:

Alabama 1,199,740 bales; 3,628 ginneries; Arkansas 732,201; 2,299; Florida 59,030; 273; Georgia 1,572,701; 4,551; Indian Territory 550,383; 626; Kentucky 1362; 3; Louisiana 863,846; 2,046; Mississippi 1,228,687; 3,727; Missouri 38,441; 79; North Carolina 572,430; 2,753; Oklahoma 349,677; 381; South Carolina 668,328; 3,128; Tennessee 242,419; 695; Texas 3,262,629; 4,182; Virginia 12,907; 118.

The number of sea island bales included is 54,168. The sea island cotton for 1906, distributed by states is: Florida 23,144; Georgia 23,596; South Carolina 7,428.

THE DATE EXTENDED.

Banks Given Further Time in Which to Return Government Deposit.

Washington, January 9.—The secretary of the treasury will immediately notify the depository banks with which temporary deposits of about \$12,000,000 were recently placed, to be returned on January 20 and February 1, that the dates for the return of the deposits have been extended so as to require the funds to be repaid to the treasury one half on February 1st and one half on February 15th, 1907.

It is stated at the treasury department, in explanation of this change in date, that there is no particular need for the money at this time, and further it is expected that the return of money to the financial centres by the date stated will have resulted in easier money conditions.

COMPANY REFUSED A LICENSE.

Changed Its Nature Because Law was too Strict.

(Special to The Messenger.)

Raleigh, N. C., January 9.—Insurance Commissioner Young refuses to grant a license to the Home Union Co. of Richmond, Va. He says it first applied to him as a building and loan company for license, but when the state law became so strict in regard to foreign building and loan associations, it paid for license as an investment company, claiming not to be a building and loan company.

The commissioner says the reason he calls the attention of the people of the state to the refusal to grant license is that he understands the company has written some business in North Carolina and that some people in this state are inclined to do business with it because it advertises here. He refuses the license because he does not think it a proper company to do business in North Carolina.

FINDING OF CORONER'S JURY.

Employees of B. and O. Held for Action of Grand Jury.

Washington, January 9.—The coroner's inquest over the Terra Cotta wreck of Sunday night, December 30, tonight held for the action of the grand jury Harry H. Hildebrand, engineer of the "dead" train 2120; Frank T. Hoffner, conductor of that train; P. F. Dent night train dispatcher at Baltimore; William E. McCauley, division operator of the Baltimore and Ohio railroad; B. L. Vermillion, engineer of local train 66, into which 2120 crashed; George W. Nagle, conductor of train 66; J. W. Kelley, Jr., train master of the Baltimore and Ohio, and William M. Dutrow, the telegraph operator at Silver Spring.

All the men held except Dent, McCauley and Kelley were in the building where the inquest was held and were once placed under arrest. Just before the jury retired today, Charles W. Galloway, superintendent of the Baltimore and Ohio was asked by the coroner if he had heard all the testimony and he replied that he had. He was asked if he could point out any rule which had been violated by any witness in the case. Mr. Galloway replied:

"They have all been violated; all the rules relating to the movement of trains."

Mr. Galloway says that in his opinion the engineer and conductor of 120, the "dead" train were equally responsible. He was asked if he was surprised at the disclosure apparently showing laxity among the operators regarding the rules governing their positions.

He said: "I am surprised at their disregard of their trust. I can only say that in operating a railroad you must depend upon the fidelity and trustworthiness of the employees. If they are lacking in that I know nothing that will compensate it."